

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

23-CR-99-LJV

SIMON GOGOLACK, et al.,

Defendants.

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**MOTION TO SEAL**

**THE UNITED STATES OF AMERICA**, by and through its attorneys, Trini E. Ross, United States Attorney for the Western District of New York, Joseph M. Tripi, Nicholas T. Cooper, Casey L. Chalbeck, and Caitlin M. Higgins, Assistant United States Attorneys, of counsel, hereby moves to file its unredacted response in opposition to defendant John Ermin's motion for release (ECF No. 213) and attendant Exhibits D–F under seal.

The local and administrative rules require sealing motions whenever a party wishes to file material under seal. *See* LOC. R. CRIM. P. 55; D. ADMIN. P. GUIDE 2(R)(i). The government seeks to file its unredacted response in opposition to defendant Ermin's motion for release, as well as Exhibits D–F, under seal because certain portions of the government's motion, as well as the exhibits, explicitly reference discovery subject to an attorney-eyes-only protective order. *See* Text Order, ECF No. 122, (dated June 3, 2024). Publicly filing material that quotes from or attaches the discovery could result in violating the operative protective order. Accordingly, the government respectfully requests that the Court grant the instant sealing motion.

DATED: Buffalo, New York, September 19, 2024.

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